| Police Scotland logo | Freedom of Information ResponseOur reference: FOI 23-2618Responded to: 18 October 2023 |
| --- | --- |

Your recent request for information is replicated below, together with our response.

## As a retired Police Officer I am saddened to hear both the previous Chief Constable and the newly appointed Chief Constable both state that Police Scotland is "institutionally racist". It is even more disappointing that the new Chief is not going into the role with an open mind.

## In light of the above comments, under The Freedom of Information (Scotland) Act 2002 can you please provide me with the following information in relation to the last discrimination survey which was carried out?

## 1. Total number of all officers and staff in employment at the time the survey was carried out.

Please be advised that police officer and staff numbers are publicly available.

As such, in terms of Section 16 of the Freedom of Information (Scotland) Act 2002, I am refusing to provide you with the information sought. Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information that you have requested and the exemption that I consider to be applicable is set out at Section 25(1) of the Act - information otherwise accessible:

*“Information which the applicant can reasonably obtain other than by requesting it under Section 1(1) is exempt information”*

The information you are seeking is available on the Police Scotland website, via the following link: [Police Scotland Officer Numbers - Police Scotland](https://www.scotland.police.uk/about-us/how-we-do-it/police-scotland-officer-numbers/)

## 2. Total number of all officers and staff who took part in the survey.

## 3. Total number of all officers and staff who didn't take part in the survey.

## 4. The total number of all officers and staff who alleged they had suffered discrimination.

## 5. The total number of officers and staff who took part in the survey who didn't suffer discrimination.

## 6. More importantly any evidence to prove that the officers or staff who took part actually suffered discrimination.

## 7. The overall percentage of all officers and staff who actually took part in survey.

## 8. Overall percentage of all officers and staff who stated they had suffered discrimination.

The Policing Together strategy (more information can be found [here](https://www.scotland.police.uk/about-us/how-we-do-it/strategic-planning/policing-together-equality-diversity-and-inclusion-strategy/)) has an aim to meaningfully engage colleagues, partners, and the public with their insights, expertise and lived experiences.

In this vein, the survey sought to keep colleagues engaged in the conversation around institutional discrimination following the former Chief Constable’s statement on 25 May 2023.

The survey ran for 6 weeks between the 14 August 2023 and 30 September 2023.

All colleagues were eligible and invited to participate.

The survey provided the opportunity for all perceptions, thoughts, feelings, experiences, and reflections related to institutional discrimination to be recognised and acknowledged.

Thus, not shying away from issues of racial inequality, homophobia, and misogyny and instead engaging with colleagues on these matters by providing an opportunity to share their relative positions on these sensitive issues which will feed into and assist in reflecting on local and national conversations related to institutional discrimination.

The analysis is ongoing and findings of the survey will be communicated to all colleagues in due course.

Therefore, in response to these questions, I can advise you that Section 16 of the Freedom of Information (Scotland) Act 2002, again applies and that I am refusing to provide you with the information sought.

Section 16 requires Police Scotland when refusing to provide such information because it is exempt, to provide you with a notice which:

(a) states that it holds the information,

(b) states that it is claiming an exemption,

(c) specifies the exemption in question and

(d) states, if that would not be otherwise apparent, why the exemption applies.

I can confirm that Police Scotland holds the information you have requested and the exemption that I consider to be applicable is set out at:

Section 30(b) Prejudice to Effective Conduct of Public Affairs

Information is exempt if its disclosure under this Act would, or would be likely to, inhibit substantially the free and frank exchange of views for the purposes of deliberation.

The exemptions in section 30(b) focus on the effect that disclosure of information would have (or would be likely to have) on the free and frank provision of advice or the free and frank exchange of views for the purposes of deliberation.

This is a non-absolute exemption which requires the application of the Public Interest Test.

It is crucial that any considerations can first be discussed in confidence and fed back to our people to maintain trust and confidence with the internal engagement process.

If the information is published prior to those strategic discussions taking place, or feedback and next steps being set out to colleagues and survey participants, the actions the Service takes to tackle sexism and misogyny would be substantially inhibited; prejudicing the ability to respond effectively to those processes and may cause harm by inhibiting any potential future colleague engagement exercises on important subject matters.

I am unable to provide you with an exact timescale at this time but you may wish to resubmit this request following a reasonable interval.

If you require any further assistance please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by email or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by email or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.